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| 10/018,864      | 02/26/2002  | Jukka Wallenius      | 4925-189PUS         | 8477             |

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EXAMINER

PATEL, DHAIRYA A

|          |              |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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2151

DATE MAILED: 11/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/018,864

Applicant(s)

WALLENIIUS, JUKKA

Examiner

Dhairya A. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This action is responsive to amendment filed on 8/23/2006. The amendment has been fully entered and considered.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4,7-9,13-16,19-21,25 are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer et al. U.S. Patent # 6,801,521).

As per claim 1, Shaffer teaches a method comprising:

-monitoring in a routing means of control signaling between the two end-points (column 4 lines 25-32), the control signal being specifically for separate audio (Fig. 2 element 12, 14), video (Fig. 2 element 28,15) and data streams (Fig. 2 element 22,19) forming a multimedia stream transferred between the two end-points each located in

network system, the audio, video and data streams each forming a separate media component (column 4 lines 57-67)(column 5 lines 1-23)(column 3 lines 5-67)(column 4 lines 1-3);

The reference teaches the gateway include an in-band signal monitoring to monitor the signals which are also routed by the gateway (routing means) between two or more H.323 terminals (transferred between two end points) and also formats the transmitted video, audio data and control streams (forming a multimedia stream) into messages for output to the network interface and each forming separate media component (Fig. 2 elements 12,28,22).

-informing, by the way of the routing means, control means (Fig. 4 element 850) about the separate media components (column 4 lines 44-67)(column 5 lines 1-6);

The reference teaches H.323 terminals informing the gateway (Fig. 4 element 106) which comprises control means (Fig. 4 element 850) of the call signal (separate media components) which is routed through the gateway which can be used for routing (column 4 lines 25-26).

-recognizing in the routing means the separate media components associated with a call between the two end-points (column 5 lines 1-6, lines 29-45, lines 55-67);  
and

The reference teaches gateway receiving the signals and recognizing the patterns of the call signals and the audio files (separate media components) associated with the call between H.323 terminals (two end points).

-applying, in the routing means, a connection control issued by the control means to the separate media components (column 5 lines 1-6, 25-45,55-67)(column 6 lines 1-15).

The reference teaches a connection command (connection control) issued by the gateway which comprises control (control means) to block the signal (separate media components) through the gateway (routing means).

As per claim 2, Shaffer teaches the method of claim 1, wherein in the monitoring step call control means control means receive a media component control-signaling message (column 6 lines 1-15).

The reference teaches in-band monitor monitoring the signals and then sending the control signal for the media stream to the gateway controller (control means).

As per claim 3, Shaffer teaches the method of claim 1, wherein the informing step includes the step of:

-sending a message to the control means (column 5 lines 60-65); and

The reference teaches sending a message to the gateway, which comprises the control means (Fig. 4 element 850) of the gateway.

-waiting for a response from the control means (Column 5 lines 60-67).

The reference teaches receiving the message at the control means of the gateway and then sending a response to in-band signal monitor.

As per claim 4, Shaffer teaches the method of claim 1, wherein the informing step includes the step of:

-sending a message to the control means (column 5 lines 60-65); and

The reference teaches sending a message to the gateway, which comprises the control means (Fig. 4 element 850) of the gateway.

- waiting for a response from the control means (Column 5 lines 60-67)

The reference teaches receiving the message at the control means of the gateway and then waiting and then sending a response to in-band signal monitor.

- receiving the message from the control means (Column 5 lines 60-67)

The reference teaches receiving the message at the control means of the gateway and then sending a response to in-band signal monitor, and

- sending a modified component control signaling message for call control means (column 6 lines 36-46)(column 7 lines 6-10).

The reference teaches sending a control signal message to the H.323 terminal advising the client of the busy signal or recognizing the signal and then client sends a disconnect signal message to the gateway to disconnect the call (call control means) because gateway is the one who is in control of call control means because it connects and disconnects the call.

As per claim 7, Shaffer teaches the method according to claim 1, wherein the informing step includes the steps of:

- sending a message from call control means to the control means (column 5 lines 60-65); and

- waiting for a response from the control means to the call control means (Column 5 lines 60-67)

As per claim 8, Shaffer teaches the method of according to claim 2, wherein the media component control signaling message describes opening, closing or modifying a media component (column 5 lines 4-6).

The reference teaches control signaling is recognized and the terminal starts playing (opening) the audio file (media component).

As per claim 9, Shaffer teaches the method according to claim 2, wherein the media component control signaling message is in association with a call signaling message (column 5 lines 2-6).

The reference teaches the when the component control signaling message is recognized the terminal starts playing the audio file corresponding to the call progress signal (call signal message).

As per claims 13-16,19-21 teaches same limitations as claims 1-4,7-9 respectively, therefore rejected under same basis.

As per claim 25, Shaffer teaches a network device for providing a connection control signal between two end-points, the control signal being specifically for separate audio, video and data streams forming a multimedia stream transferred between the two end-points (Fig. 1 element 102A,B)(column 3 lines 59-67) each located in a network system, the separate audio, video and data streams each forming a separate media component, the network device configured to monitor media component control signaling between the two end-points (column 4 lines 57-67)(column 5 lines 1-23)(column 3 lines 5-67)(column 4 lines 1-3);

The reference teaches the gateway include an in-band signal monitoring to monitor the signals which are also routed by the gateway (routing means) between two or more H.323 terminals (transferred between two end points) and also formats the transmitted video, audio data and control streams (forming a multimedia stream) into messages for output to the network interface and each forming separate media component (Fig. 2 elements 12,28,22).

-inform control means (Fig. 4 element 850) about separate media components associated with a call between two endpoints (column 4 lines 44-67)(column 5 lines 1-6);

The reference teaches H.323 terminals informing the gateway (Fig. 4 element 106) which comprises control means (Fig. 4 element 850) of the call signal (separate media components).

-apply a connection control issued by the control means to the separate media components (column 5 lines 1-6, 25-45,55-67)(column 6 lines 1-15).

The reference teaches a connection command (connection control) issued by the gateway, which comprises control (control means) to block the signal (separate media components).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



3. Claims 5-6,10-12,17-18,22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al. U.S. Patent # 6,801,521 (hereinafter Shaffer) in view of Salama et al. U.S. Patent # 6,584,093 (hereinafter Salama).

As per claim 5, Shaffer teaches the method of claim 1, wherein the monitoring step, but fails to teach if the media component control signaling message are routed via media proxy means, the call control means request report of media component related events from the media proxy means, and the media proxy means inform the call control means of the media component related events. Salama teaches if the media component control signaling message are routed via media proxy means, the call control means request report of media component related events from the media proxy means, and the media proxy means inform the call control means of the media component related events (column 3 lines 1-15, lines 22-44). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with routing signaling message via proxy, call control means requesting report from the media proxy, and media proxy informing the call control means. The motivation doing so would have been to find out if the signaling message was received when it was routed through the proxy therefore call control means requesting report to find out if the signaling message was received correctly.

As per claim 6, Shaffer teaches the method according to claim 1, but fails to teach the multimedia stream is routed via media proxy means communicating with call control means. Salama teaches the multimedia stream is routed via media proxy means

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communicating with call control means (column 3 lines 22-44). Salama teaches that all the RTP stream (multimedia streams) are routed via proxy communicating with the gatekeepers and the terminal (call control). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with having multimedia stream being route via a media proxy communicating with call control means. The motivation for doing so would have been so that each ISP which has different policies and which are connected to proxies can forces all incoming H.323 calls to go through these proxies in order to enforce its specific policies on the calls (column 3 lines 47-51).

As per claim 10, Shaffer and Salama teaches the method according to claim 6, but Salama further teaches wherein the media components associated with a call are recognized in the media proxy (column 5 lines 50-67)(column 6 lines 1-6). Salama teaches media components associated with the call are received by the proxies and creates the corresponding request to pass to redirect server using recognized media stream. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with recognizing media components in the proxies. The motivation for doing so would have been so that media stream would flow directly between the endpoints and through Internet.

As per claim 11, Shaffer and Salama teaches the method of claim 10, but Shaffer further teaches further comprising a connection control step including the step of issuing connection control requests from the control means to the call control means (column 5

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lines 24-45). Shaffer fails to teach issuing connection control requests from the call control means to the media proxy means. Salama teaches issuing connection control requests from the call control means to the media proxy means (column 5 lines 50-67)(column 6 lines 1-6) and switching the media components by the media proxy means in accordance with the connection control requests (column 6 lines 6-16). It would have been obvious to one ordinary skill in the art at the time of applicant's invention was made to implement Salama's teaching in Shaffer's teaching to come up with issuing connection control requests to the media proxy from the call control means. The motivation for doing so would have been so that the media stream would flow directly between the endpoints and through Internet.

As per claim 12, Shaffer and Salama teaches the method according to claim 11, but Shaffer further teaches wherein the switching step involves media proxy switching IP packet payloads carrying a media component between an incoming and outgoing packet stream (column 3 lines 38-53).

As per claims 17-18,22-24 teaches same limitations as claims 5-6,10-12 respectively, therefore rejected under same basis.

#### ***Remarks***

4. Applicant's remarks were considered by the examiner but were not persuasive.
5. As per remarks, Applicant stated the following:

A) As per claim 1, Applicant stated Shaffer fails to teach "monitoring in a routing means control signaling between two end-points, where the control signal is specifically for separate audio, video and data streams forming a multimedia stream transferred

between the two end-points each located in a network system, the audio, video and data streams each forming a separate media component”

As per remark A, Examiner respectfully disagrees with the applicant because in column 4 lines 57-67)(column 5 lines 1-23)(column 3 lines 5-67)(column 4 lines 1-3), Shaffer teaches the gateway include an in-band signal monitoring to monitor the signals which are also routed by the gateway (routing means) between two or more H.323 terminals (transferred between two end points) and also formats the transmitted video, audio data and control streams (forming a multimedia stream) into messages for output to the network interface and each forming separate media component (Fig. 2 elements 12,28,22). Applicant also states “handling separate media components, i.e. separate audio, video, and data streams the may be routed via different path, by routing means...” Examiner would like to point out that nowhere in the claim language does it stated routing via different path. Claim language only states “by way of the routing means, control means about the separate media components”. Therefore Shaffer reads on the claimed limitations.

As per claim 13 and 25, it states the same remarks as claim 1, therefore refer to examiner’s explanation of the remark in claim 1 for claim 13 and 25.

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

A). “Method and Apparatus for automatic inter-domain routing of calls” by Salama et al. U.S. Patent # 6,584,093.

B). "System and method for distributed call signaling in telephony-over-LAN networks" by Shaffer et al. U.S. Patent # 6,801,521.


7. A shortened statutory period for response to this action is set to expire **3 (three) months and 0 (zero) days** from the mail date of this letter. Failure to respond within the period for response will result in **ABANDONMENT** of the applicant (see 35 U.S.C 133, M.P.E.P 710.02, 710.02(b)).

8.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhairya A. Patel whose telephone number is 571-272-5809. The examiner can normally be reached on Monday-Friday 7:00AM-4:30PM, first Fridays OFF.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER